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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,327	10/22/2003	Kousei Sano	YAMAP0495USF	1417
7590 07/22/2004			EXAMINER	
Mark D. Saralino			HINDI, NABIL Z	
RENNER, OTTO, BOISSELLE & SKLAR, LLP Nineteenth Floor			ART UNIT	PAPER NUMBER
1621 Euclid Avenue			2655	
Cleveland, OH 44115-2191			DATE MAILED: 07/22/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Total Commonstration Commons		Application No.	Applicant(s)			
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1) Responsive to communication(s) filed on	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period was railure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing	36(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. O (35 U.S.C. § 133),			
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-1 s/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 5 and 6 is/are allowed. 6) Claim(s) 1-4 and 7 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-4 and 7 is/are rejected. 7) Claim(s) is/are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some 'c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 08/877.363. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. BEST AVAILABLE COPY Altachment(s) 1) Notice of Praftsperson's Patent Drawing Review (PTO-948) 3) All Interview Summary (PTO-113) Paper No(s)/Mail Date	Status					
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2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 1. Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other:		4) Interview Summer	(PTO_413)			
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	Paper No(s)/Mail Date <u>1</u> .	· presenta	atent Application (PTO-152)			

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The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claims 1-4 and 7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification as originally filed does not disclose the use of a switching element that is controlled based on either the distance of a positional relationship between the track and the collecting point on the photo detection. Such limitation is cited in the abstract and the summary. However, none of the cited embodiments or the figures cited shows such limitation.

Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitation "the step of switching" lacks proper antecedent basis.

In order to overcome the above 112 first paragraph rejection. Applicant's argument must identify the figure and/or the pages within the specification such support could be found.

Claims 5 and 6 are allowed.

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None of the cited prior art shows or teaches a division element divided by division lines as claimed.

Any inquiry concerning this communication should be directed to NABIL Z HINDI at telephone number (703) 308-1555.

> NABIL HINDI PRIMARY EXAMINER GROUP 2500